

Federal Defenders
OF NEW YORK, INC.

Southern District
52 Duane Street-10th Floor, New York, NY 10007
Tel: (212) 417-8700 Fax: (212) 571-0392

David E. Patton
Executive Director

Southern District of New York
Jennifer L. Brown
Attorney-in-Charge

October 27, 2021

By ECF

The Honorable Paul A. Crotty
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: United States v. Frank Babilonia
21 CR 576 (PAC)

Dear Judge Crotty:

With the consent of the Government, I write to request an adjournment of Mr. Babilonia's status conference for approximately 60 days to the week of January 3, 2022 (with a preference for January 4, 5, 6, or 7.)

The additional time is necessary to give the defense an opportunity to review and discuss the discovery in this matter with Mr. Babilonia. The discovery in this case is substantial and consists of, *inter alia*, phone extracts, recordings, and law enforcement reports. I received the discovery last week and a copy has been sent to Mr. Babilonia at the MDC. However, at this time, Mr. Babilonia is in a quarantine unit at the MDC Brooklyn and unable to have legal visits or access to communal spaces like the law library where he can review discovery.

An adjournment would give defense counsel and Mr. Babilonia an opportunity to review his case materials. It would also allow the parties to continue discussing a possible pretrial resolution in this case prior to the filing of pretrial motions.

As noted above, the Government does not oppose this request. The Government requests the exclusion of time until the date of the next status conference. The defense consents.

Respectfully submitted,

/s/
Zawadi Baharanyi
Assistant Federal Defender
917-612-2753 (c)

cc: AUSA David Robles.